

Panel Discussion (contd)

1 With regard to chemicals in wastes
2 that would be coming here, our assumption is
3 they come treated to meet land disposal
4 restrictions already, so they are ready to
5 dispose.

6 So the chemical hazards are already
7 mitigated in accordance with RCRA and, in our
8 case, state requirements.

9 MR. DEE WILLIS: Anybody else?

10 MR. GERRY POLLET: I just love
11 that answer. That's going to be written up in
12 our comments pretty well.

13 MR. DEE WILLIS: All right.

14 MR. GERRY POLLET: In Federal
15 Court on Friday the Department of Energy
16 claimed that it is exempt from the land
17 disposal restrictions and treatment
18 requirements for all transuranic waste.

19 And yet you do your analysis as if
20 it's treated, and we know you're going to store
21 it there for 20 years, so you've got to
22 consider it untreated.

23 MR. MICHAEL COLLINS: Well,
24 you can go ahead and use the statement, but
25 what I was talking about was mixed low-level

90

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Panel Discussion (contd)

1 waste, not TRU waste.

2 MR. GERRY POLLET: But you are
3 going to store the waste in the burial grounds.

4 MR. MICHAEL COLLINS: Not
5 mixed waste, not mixed TRU.

6 MR. GERRY POLLET: Well, you
7 are storing mixed TRU and you can't analyze it
8 to definitively characterize it that it is not,
9 and the Battelle characterization proved
10 definitively that it is, and we will see if the
11 Federal Court agrees or not.

12 MR. MICHAEL COLLINS: I will
13 just say, the mixed TRU waste that is coming
14 from off site sources is not being stored in
15 the low-level burial grounds, it is being
16 stored at T Plant.

17 MR. GERRY POLLET: The small
18 amount of it that you have acknowledged has PCB
19 contamination is being illegally stored at T
20 plant where it can be inspected.

21 MS. AMBER WALDREF: I have
22 pictures of that one, Gerry.

23 MR. GERRY POLLET: Great.
24 That would be a good one to put up. And we
25 know that the characterization of the process

91

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Panel Discussion (contd)

1 lines that created this waste had a dozen
2 characterization wastes that were not
3 identified and it's in the Battelle waste
4 that's in the burial grounds, or is planned to
5 go into the burial grounds, and let's put up
6 the picture --

7 MS. AMBER WALDREF: This is a
8 picture we got from Ecology.

9 MR. MICHAEL COLLINS: Yeah.
10 And that's not mixed waste.

11 MR. GERRY POLLET: Well, you
12 can't prove it's not mixed waste, because it's
13 too radioactive for you to characterize, right?

14 MR. DEE WILLIS: Let's go back
15 to the facilitator.

16 George Sanders quickly.

17 MR. GEORGE SANDERS: Jerry's
18 making being some references to the court
19 filings and everything.

20 Obviously the Department takes some
21 differing views of that. Mike cannot and will
22 not answer questions regarding that litigation.
23 Okay? Thank you.

24 MR. GERRY POLLET: Well,
25 that's fine. But, you know, those of us suing

92

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Panel Discussion (contd)

1 you are under no restraint from talking about
2 why we are suing and the fact that you cannot
3 even characterize the remote handled waste
4 that's coming to Hanford, and you don't know
5 what's in it, and it is being illegally and
6 improperly stored.

7 And it's not Heart of America
8 Northwest saying that, it is the state of
9 Washington which took a hard look before they
10 filed that suit.

11 MR. GEORGE SANDERS: I
12 understand that, Gerry. I just wanted
13 everybody to know they are getting one half of
14 the story.

15 MR. GERRY POLLET: They know I
16 am not giving your half, George.

17 MR. GEORGE SANDERS: Point
18 taken. Thank you.

19 MR. DEE WILLIS: Mrs. Cohen
20 has been waiting patiently. It is your turn.

21 MS. JUDY COHEN: When the
22 waste energy plant was coming into Spokane,
23 there were, quote, hearings about it. And we
24 were told if we spoke, that basically we were
25 too early in the speech process. And then we

Panel Discussion (contd)

1 were told we were too late.

2 And the end result is the energy
3 plant went up, and everybody knows that was the
4 last waste energy incinerator put up in the
5 state of Washington.

6 And when we tried to get information
7 about how much it was polluting, we were given
8 all sorts of vague data or no data at all.

9 And I remember at one meeting
10 several years after it had been running, the
11 question was asked, what is the level of dioxin
12 being emitted from the waste incinerator in
13 Spokane, and we were given the answer that it
14 did not violate any state standards.

15 So, when pressed then, well, what
16 are the state standards, then it came up that
17 the Department of Ecology and the state of
18 Washington had no standards for dioxin.

19 So here is this great big hoax
20 that's been perpetrated on people, and you have
21 to do something to prevent this from
22 continually happening in government's
23 relationship to people.

24 So the answers to these hard
25 questions have to be answered now, beforehand.

Panel Discussion (contd)

1 You have to have the savvy to anticipate what
2 the problems could be. You have to take the
3 expertise of what you know about your specific
4 area and anticipate what problems will be and
5 solve them before they happen, not after the
6 fact, and then not try to be evasive and delude
7 people that, don't worry, grandpa government is
8 going to take care of everybody, and nobody has
9 to worry about anything. The process has to be
10 different.

11 MR. DEE WILLIS: Any response
12 to that?

13 MR. DENNIS FAULK: I have one,
14 actually. Certainly I won't defend DOE here,
15 but the process I believe is really working,
16 and you didn't have a hearing here last year.

17 But the first EIS they put out was
18 not good at all. And they heard that. They
19 heard that from 3800 people. They heard it
20 from the agencies.

21 And they could have been a typical
22 government agency and bull forward and went
23 ahead and did their Record of Decision. It
24 probably would have ended up in court.

25 But they didn't. They revised it.

Panel Discussion (contd)

1 And I don't think anyone who saw the original
2 draft, and what it is today, could not say it
3 is not a much better product. It has aways to
4 go.

5 But again I think the process is
6 really working pretty well for government. The
7 proof will be in the pudding when we actually
8 see the final analysis and what they build.
9 But I guess I am semi encouraged.

10 MR. GERRY POLLET: You know,
11 it's a mighty weak standard to say it's better
12 than the last one, which was so grossly
13 inadequate. Sorry, Mike, but it was.

14 And you had every regional
15 stakeholder group, every level of government
16 saying it was inadequate. You had a grade
17 given that it was inadequate from EPA. The
18 same administration, I will just point out.
19 You can't say anything about that, I know,
20 Dennis. And you had I believe nine members of
21 Congress threatening to take action if they
22 went forward with it. It's a pretty slim thing
23 to say, oh, it's better than the last one.

24 The question today is, is it
25 adequate, and I think what we have talked about

Panel Discussion (contd)

1 tonight is that there are scores of major
2 inadequacies.

3 And the reason is two fold.

4 One, because the decision's already
5 been made. Let's face it. The decision is
6 made already. The Department of Energy has
7 said, we want to use Hanford for a national
8 radioactive waste dump. They didn't even wait
9 for this EIS to be out before they started
10 sending truck loads of transuranic waste. And
11 that said it all.

12 Secondly, now that they are faced
13 with court suits and litigation, they are hell
14 bent on getting this out as fast as possible so
15 that they can say we dotted that "i", crossed
16 that "t", did the EIS, and have told Mr.
17 Collins that he has to have his EIS done and a
18 Record of Decision out this summer, which is an
19 inadequate period of time for anyone to give a
20 thorough review of it, the agencies to
21 thoroughly review it, or for him to revise it
22 and respond.

23 So, I'm not optimistic about us not
24 being in court, you know. The problem is
25 systemic, what is driving the decisions.

97

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Panel Discussion (contd)

1 MR. GENE COHEN: Gene Cohen.
2 I want to get a little more information. We
3 spend 300 billion dollars on a war machine and
4 two trillion dollars on a budget a year at the
5 federal level, to say anything to the state and
6 counties.

7 How complicated would it be to pour
8 concrete trenches with machines that are made
9 to do that, versus liners which are certainly
10 going to be less adequate, where you can go
11 back in at some future date, and you could do
12 all kinds of things to the concrete trench.

13 If you are really trying to cap this
14 thing and collect this thing, wouldn't it be
15 more adequate, do concrete trench of some sort
16 and a concrete cover which you can go back in
17 future generations? Could it be that
18 expensive?

19 MR. MICHAEL COLLINS: It would
20 be certainly a lot more expensive. And you
21 gain some time, but in the long run you still
22 have to rely on a cap over it, because what you
23 would do is you would estimate the life of that
24 concrete liner, 200, 300 years.

25 MR. GENE COHEN: We have dams

Panel Discussion (contd)

1 running over a hundred years, and the
2 technology, I haven't heard anybody tell me we
3 are going to lose Hoover Dam or Grand Coulee.
4 I think those are built to last 10,000 years.

5 MR. MICHAEL COLLINS: But they
6 are maintained constantly. That's the
7 difference.

8 In order for you to maintain these
9 underground liners, you would have to take
10 everything out all the time, redo the liner, or
11 you would have to create a whole new one.

12 MR. GENE COHEN: I have never
13 seen reservoir emptied to look at the back
14 side. So I don't know that they are doing any
15 maintenance on dams.

16 MR. DEE WILLIS: Other panel
17 members?

18 MR. GERRY POLLET: Well, I
19 will say, I happen to live next to a city of
20 Seattle water reservoir, and you sure, you
21 know, you sure do empty it to repair the liner
22 several times a year.

23 And I think the concrete liner is an
24 interesting, or concrete cap perhaps even
25 better, an interesting idea. I don't know if

Panel Discussion (contd)

1 it is -- what it means in terms of the
2 interaction with the chemicals and the
3 radionuclides.

4 The advantage of concrete is that if
5 it is breathable, you can allow the radon and
6 other gases to escape, which is important in
7 some of these wastes.

8 So I don't know if concrete is a
9 reasonable alternative. But it's worth getting
10 in the record to ask them to respond to that.

11 MR. DEE WILLIS: Anybody else?
12 Ma'am?

13 MS. MARY MACKAY: This goes
14 back to the repository in New Mexico and its
15 certification. It has limited certification?

16 MR. MICHAEL COLLINS: What it
17 has right now is New Mexico Environmental
18 Department, which is the equivalent of
19 Washington's Department of Ecology, a permit
20 for the disposal, what's called contact handled
21 TRU waste and TRU mixed waste, that's TRU waste
22 with chemical constituents in it.

23 MR. GERRY POLLET: It has no
24 permit for mixed waste, Mike. It does not have
25 a permit for mixed waste.

100

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Panel Discussion (contd)

1 MS. MARY MACKAY: So it's
2 transuranic?
3 MR. MICHAEL COLLINS: It's all
4 transuranic, though.
5 MS. MARY MACKAY: Does it have
6 to be vitrified?
7 MR. MICHAEL COLLINS: No.
8 MS. MARY MACKAY: So they
9 could take transuranic waste?
10 MR. MICHAEL COLLINS: Yeah.
11 The plans are to send all the transuranic --
12 what's called the retrievably stored
13 transuranic waste that's in the low-level
14 burial grounds there. We are going to dig up
15 10,000, 11,000 cubic meters of transuranic
16 waste from the burial grounds called the 618,
17 1011 burial grounds, stuff that's in storage
18 right now, and newly generated transuranic
19 waste is slated to go there.
20 MS. MARY MACKAY: But it's not
21 going to take all the waste that was originally
22 slated to go there? Why is that?
23 MR. MICHAEL COLLINS: Well,
24 what Gerry was referring to it was Yucca
25 Mountain, which is the high-level waste, spent

101

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Panel Discussion (contd)

1 nuclear fuel repository.

2 MR. GERRY POLLET: Although, I
3 mean, WIPP isn't, the waste isolation plant in
4 New Mexico, is not large enough to take all of
5 the Department of Energy's transuranic wastes
6 either. Not by a long stretch. Nor is it
7 licensed under the land withdrawal act of
8 Congress. It is limited in size and it can't
9 take nearly enough.

10 There is a huge controversy about
11 the transuranic waste that's in soil at
12 Hanford, Idaho, and other places that was put
13 there before 1970, and whether it will ever get
14 dug up and go to WIPP.

15 This EIS doesn't analyze that.
16 That's one of its flaws.

17 Secondly, the remote -- 90 percent
18 of what is being imported to Hanford now is
19 called remote handled, not contact handled.

20 MS. MARY MACKAY: Is what?

21 MR. GERRY POLLET: Remote
22 handled is much more radioactive, and WIPP is
23 not licensed to take this remote handled
24 transuranic waste.

25 MR. DEE WILLIS: What is

102

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Panel Discussion (contd)

1 WIPP?

2 MR. GERRY POLLET: New Mexico
3 repository.

4 MR. MICHAEL COLLINS: Waste
5 Isolation Pilot Plant.

6 MR. GERRY POLLET: It is not
7 licensed currently, and it is not expected to
8 be licensed for several more years, and DOE's
9 own Hanford performance management plan says we
10 don't expect to be able to ship that highly
11 radioactive transuranic waste out of Hanford
12 before 2013. And that's probably being very
13 optimistic.

14 The mixed waste permit is not in
15 place and it is on a slower timeline than the
16 remote handled permit.

17 MR. GEORGE SANDERS: Are you
18 talking about WIPP? We are shipping TRU there
19 now. We have shipped it in the past as part of
20 our shipping schedule.

21 MR. DEE WILLIS: The person
22 that just asked those questions Mary Mackay.

23 MR. MICHAEL COLLINS: Can I
24 follow up? Gerry is correct. The remote
25 handled permit, if you will, is scheduled

103

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Panel Discussion (contd)

1 around 2005, I believe the number is.

2 MS. MARY MACKAY: Why so long?

3 MR. MICHAEL COLLINS: Because
4 they have to work through their state and DOE.
5 The same way we have to do whenever we permit a
6 mixed waste facility. And that can take years.

7 MR. DEE WILLIS: Mary Mackay,
8 the previous woman.

9 All right. A question here. Name,
10 please.

11 MS. MARY MACKAY: Now, where
12 are you putting the -- where did you put the --
13 the transuranic waste at Hanford?

14 MR. MICHAEL COLLINS: Since
15 1988, and I will explain before later -- or in
16 a minute. But after 1988 all transuranic
17 waste, except for what's called remote handled,
18 nonmixed transuranic waste, was put in above
19 ground storage in either the Central Waste
20 Complex, T Plant or a few other places.

21 The remote handled nonmixed stuff
22 was put in the burial grounds, but it was put
23 in big concrete encasements, and I think that
24 that was that picture that Amber showed
25 earlier. With the cap on it so it could be

104

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Panel Discussion (contd)

1 retrieved later.

2 Before 1988, from 1970 to 1988, a
3 lot of it was place underground with the
4 intention of digging it up later. That's the
5 remote handled transuranic waste, which we do
6 have slated and going. This is a picture of it
7 right now. From the 1970 to 1988.

8 MS. MARY MACKAY: And then the
9 waste that's mixed waste, is put in the
10 trenches?

11 MR. MICHAEL COLLINS: It
12 hasn't been since 1988, no.

13 MS. MARY MACKAY: What has
14 gone in the trenches? All these things are a
15 little bit confusing.

16 MR. MICHAEL COLLINS: I
17 understand. It is confusing to DOE people,
18 too. Before 19 -- Before 1970 there was no TRU
19 waste category.

20 MS. MARY MACKAY: I don't care
21 about that.

22 MR. MICHAEL COLLINS: You just
23 care about the mixed?

24 MS. MARY MACKAY: I care
25 about the waste that has recently been brought

105

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Panel Discussion (contd)

1 in.

2 MR. MICHAEL COLLINS: The
3 shipments from Battelle Columbus and a place
4 called E-TEK in California, that is either
5 stored above ground in the Central Waste
6 Complex, or above ground at T Plant, or if it's
7 remote handled, nonmixed, it is in those
8 underground vaults in the low-level burial
9 grounds.

10 MR. GERALD POLLET: That is
11 the picture Amber passed around. They are like
12 cement culverts with a cap on it in the lined
13 burial ground.

14 MS. JANE CUNNINGHAM: You in
15 the very beginning, you were talking about
16 building buildings to separate wastes, or
17 separate something. I heard that. You talk
18 quite fast.

19 MR. MICHAEL COLLINS: I know.
20 I am caffeine induced.

21 MS. JANE CUNNINGHAM: I really
22 just don't understand why you started bringing
23 in more waste before these things were built
24 and ready for it.

25 MR. MICHAEL COLLINS: We have

106

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Panel Discussion (contd)

1 to build these new facilities anyway, or get
 2 this capacity to treat waste, like mixed
 3 low-level waste, or certify transuranic waste
 4 to get it down to the Waste Isolation Pilot
 5 Plant, even if we receive no waste from
 6 off-site. We have to do it anyway.

7 And the thought is, well, in the
 8 case of the transuranic waste, why go, why
 9 should a very small site go to the expense of
 10 spending millions of dollars to get the same
 11 kind of facility if we already have one here?

12 MS. JANE CUNNINGHAM: But that
 13 doesn't answer my question.

14 MR. MICHAEL COLLINS: Okay. I
 15 didn't understand, then.

16 MS. JANE CUNNINGHAM: You
 17 haven't built these facilities yet.

18 MR. MICHAEL COLLINS: Correct.

19 MS. JANE CUNNINGHAM: But you
 20 have brought in some of the waste.

21 MR. MICHAEL COLLINS: Uh-huh.

22 MR. GERRY POLLET: Jane, you
 23 sound exactly like the State of Washington's
 24 Attorney General, Christine Gregoire, said the
 25 same thing, which is there's no guaranty you

107

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Panel Discussion (contd)

1 ever will build this facility to treat remote
2 handled waste, but yet here it sits. Right.

3 Given the track record, her point is
4 we don't know that they're going to build it,
5 we're being forced to sue them to build it, at
6 the same time we are suing to stop them from
7 shipping this waste in.

8 MR. DEE WILLIS: Ms.
9 Cunningham, did you get your questions
10 answered?

11 MS. JANE CUNNINGHAM: I think I
12 did. There is a great trust problem here.

13 MR. DEE WILLIS: I want to
14 stop for just a minute with the questions and
15 ask, because I am really obligated to ask this,
16 given the information you have heard in the
17 last hour, is there anybody that wants to give
18 DOE again formal comment before we go on with
19 questions?

20 Okay. Next question. Anybody?

21 MR. GERRY POLLET: Are you
22 ready to say thank you?

23 MR. DEE WILLIS: I must say
24 from my point of view, this is one of the best
25 public meetings in terms of information

108

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Panel Discussion (contd)

1 exchange that I have ever seen.

2 MR. GERRY POLLET: It's a
3 fabulous honor to participate in this. I want
4 to thank you for doing it. I want to thank all
5 of you, and Mike, and George and Dennis. Thank
6 you very much.

7 I think it is a great help to public
8 participation to be able to sit here and go
9 through this, and it's above and beyond for the
10 agency people. This is not typical of an
11 agency effort. So thank them.

12 MR. DEE WILLIS: Just a
13 minute, please.

14 Ms. Cohen?

15 MS. JUDY COHN: I want to say
16 that I think it is important to remember that
17 there are far more people who have strong
18 feelings about this than are present at this
19 meeting.

20 I think most people are just
21 overwhelmed with their lives and how hard they
22 are struggling to try to make them work, and
23 they read an article similar to that in the
24 newspaper the other day and they just go, oh,
25 my God, another thing, another front, another

109

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Panel Discussion (contd)

1 battle. And they don't have the energy to
2 fight all the battles because they are worried
3 how they are going to pay their bills.

4 But, you know, you magnify the
5 people in this room times so many other people
6 that care, and just feel sort of hopeless
7 about these issues, it's not out of apathy, I
8 think it's just out of resignation and
9 weariness with how our lives have been in the
10 last few years.

11 MR. MICHAEL COLLINS: I just
12 want to say, you are right. I mean, this room
13 is not representative of the number of people
14 that are actually involved. We received 3800
15 comments on the last one. People were very
16 energized about it. We expect the same thing
17 on this one.

18 MR. DEE WILLIS: One final
19 comment here. You rarely get an opportunity
20 to speak directly to somebody with a face of
21 the Environmental Protection Agency, the face
22 of DOE.

23 Is there anything else you want to
24 say to these people before we leave tonight?

25 MS. JUDY CUNNINGHAM: Try

110

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Panel Discussion (contd)

1 harder.

2 MR. DEE WILLIS: Okay. This
3 meeting is closed. Thank you very much.

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6 (10:20 p.m.)

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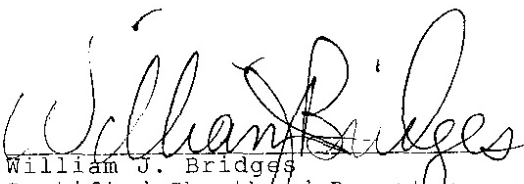
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3
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13 transcript consisting, of 111 typewritten pages
14 is a TRU and correct transcript of all such
15 testimony adduced and proceedings had and of
16 the whole thereof.

17 Witness my hand at Pendleton, Oregon,
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112

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